

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

\$407,759.86 U.S. FUNDS FROM
YAKIMA FEDERAL SAVINGS AND
LOAN ACCOUNT #S: XXXXXX7360,
XXXXXX5952, AND/OR
XXXXXX8319,

Defendant.

CV-07-3104-FVS

Final Order of Forfeiture

Plaintiff, United States of America, alleged in a Verified Complaint for Forfeiture In Rem, filed herein on December 10, 2007, that the Defendant currency is subject to forfeiture to the United States pursuant to 31 U.S.C. § 5317(c)(2).

The above court has jurisdiction over this matter by virtue of 28 U.S.C. §§ 1345 and 1355. Venue is proper pursuant to 28 U.S.C. § 1395.

The property to be forfeited is described as follows:

\$407,759.86 U.S. funds, seized on October 30, 2007, from Yakima Federal Savings and Loan Account #s: XXXXXX7360, XXXXXX5952, and/or XXXXXX8319, held in the names of Gurmit S. Kaila and/or Big B Mini Mart.

On December 18, 2007, the Warrant of Arrest In Rem was returned executed as evidenced by the U.S. Treasury Form TDF-90 filed herein on December 26, 2007.

1 On December 27, 2007, Gurmit S. Kaila was served via certified mail, in
2 care of his attorney, Richard A. Smith, with copies of the Verified Complaint for
3 Forfeiture In Rem, Notice of Complaint for Forfeiture, and Warrant of Arrest In
4 Rem, as evidenced by the Certificate of Service of Notice by Mail filed with the
5 Court on December 27, 2007.

6 The Notice of Complaint was published on January 1, 8, and 15, 2008, in the
7 Tri-Cities Herald, a newspaper of general circulation in Benton County,
8 Washington, as evidenced by the TDF-90 filed with the Court on May 6, 2009.
9 The Notice of Complaint was republished on May 14, 21, and 28, 2009, in the
10 Daily Sun News, a newspaper of general circulation in Yakima County,
11 Washington, as evidenced by the TDF-90 filed with the Court on July 8, 2009.
12 Notice was posted online at www.forfeiture.gov beginning on May 9, 2009,
13 through June 7, 2009, as evidenced by the Notice of Publication filed with the
14 Court on July 9, 2009. At the latest, the time for filing a claim expired on July 8,
15 2009, pursuant to Fed. R. Civ. P., Rule G, Supplemental Rules for Admiralty or
16 Maritime Claims and Asset Forfeiture Actions.

17 On January 23, 2008, Gurmit S. Kaila, filed a Claim to Seized Property, and
18 on March 27, 2008, Gurmit S. Kaila filed an Answer and Demand for Jury Trial.

19 To date, no other claims to the Defendant currency have been filed.

20 On May 6, 2009, the United States and Claimant, Gurmit S. Kaila, filed a
21 Stipulation for Order of Forfeiture, in which Claimant agreed to forfeit the
22 Defendant currency to the United States.

23 Therefore, all claims to the Defendant currency have been addressed.

24 IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the
25 Defendant currency described above, is hereby forfeited to the United States of
26 America, and no right, title, or interest shall exist in any other person.

1 IT IS FURTHER ORDERED that the forfeited Defendant currency shall be
2 disposed of in accordance with law by the United States.

3 IT IS FURTHER ORDERED that the Court shall retain jurisdiction in this
4 case for the purpose of enforcing this order.

5 DATED this 13th day of July, 2009.
6

7
8 s/ Fred Van Sickle
9 Fred Van Sickle
Senior United States District Judge

10 Presented by:

11 James A. McDevitt
United States Attorney

12 s/Shawn N. Anderson

13 Shawn N. Anderson
14 Assistant United States Attorney